



Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Ninth Meeting Day

Tuesday Afternoon

January 24, 2006

The Senate convened at 1:35 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker <input type="checkbox"/>	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Craycraft	Mishler
Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith
Howard	Steele <input type="checkbox"/>
Hume	Tallian
Jackman <input type="checkbox"/>	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 26: present 47; excused 3. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

The Senate recessed for the remarks of United States Congressman Dan Burton.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill 146, has had

the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "(a)".

Page 1, line 8, strike "inquiry" and insert "inquiries".

Page 1, line 9, strike "property".

Page 1, line 9, after "as" insert "facility".

Page 1, line 10, delete "for exemption".

Page 1, line 11, delete "from liability".

Page 1, line 16, strike "property" and insert "facility".

Page 1, line 17, delete "for an exemption from" and insert "to avoid".

Page 2, line 1, delete "42 U.S.C. 9601(35)(B) and 42 U.S.C. 9607(b)(3)" and insert "the federal Comprehensive Environmental Response, Compensation and Liability Act".

Page 9, delete lines 7 through 11, begin a new paragraph and insert:

"V. FURTHER ACTION UPON COMPLETION OF THE FORM

A. The transferor must comply with the delivery requirements of IC 13-25-3-2 and the filing and recording requirements of IC 13-25-3-8.

B. The transferee must comply with the recording requirements of IC 13-25-3-8."

(Reference is to SB 146 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GARD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill 22, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 15, delete "." and insert ", hazardous liquid, or carbon dioxide fluid."

(Reference is to SB 22 as printed January 18, 2006.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GARD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections and Civic Affairs, to which was referred Senate Bill 128, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 9, line 23, strike "IC 3-11-8-25;" and insert "IC 3-11-8-25.1;"

Page 10, delete lines 30 through 39.
 (Reference is to SB 128 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 10, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections and Civic Affairs, to which was referred Senate Bill 127, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "," and insert "**or (c),**".

Page 2, line 4, reset in roman "or makes an expenditure".

Page 2, between lines 5 and 6, begin a new paragraph and insert:

"(c) A group of individuals all of whom are related by blood, marriage, or adoption is not considered a political action committee.

(d) For purposes of subsection (c), an individual is considered to be related to another individual by blood, marriage, or adoption if the individual is the spouse, parent, father-in-law, mother-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece of the other individual as the result of birth, marriage, or adoption."

Page 4, line 19, after "An" insert "**individual or**".

Page 4, line 19, delete "may not make" and insert "**that makes an expenditure for the purpose of financing**".

Page 4, line 20, delete "unless:" and insert "**is required to report the expenditure in accordance with IC 3-9-8.**".

Page 4, delete lines 21 through 28, begin a new paragraph and insert:

"SECTION 3. IC 3-9-4-16, AS AMENDED BY P.L.221-2005, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 16. (a) In addition to any other penalty imposed, a person who does any of the following is subject to a civil penalty under this section:

- (1) Fails to file with the election division a report in the manner required under IC 3-9-5 **or IC 3-9-8.**
- (2) Fails to file a statement of organization required under IC 3-9-1.
- (3) Is a committee or a member of a committee who disburses or expends money or other property for any political purpose before the money or other property has passed through the hands of the treasurer of the committee.
- (4) Makes a contribution other than to a committee subject to this article or to a person authorized by law or a committee to receive contributions on the committee's behalf.
- (5) Is a corporation or labor organization that exceeds any of the limitations on contributions prescribed by IC 3-9-2-4.
- (6) Makes a contribution in the name of another person.
- (7) Accepts a contribution made by one (1) person in the name of another person.
- (8) Is not the treasurer of a committee subject to this article, and pays any expenses of an election or a caucus except as authorized by this article.

(9) Commingles the funds of a committee with the personal funds of an officer, a member, or an associate of the committee.
 (10) Wrongfully uses campaign contributions in violation of IC 3-9-3-4.

(11) Violates IC 3-9-2-12.

(12) Fails to designate a contribution as required by IC 3-9-2-5(c).

(13) Violates IC 3-9-3-5.

(14) Serves as a treasurer of a committee in violation of any of the following:

(A) IC 3-9-1-13(1).

(B) IC 3-9-1-13(2).

(C) IC 3-9-1-18.

(15) Fails to comply with section 4(d) of this chapter.

(b) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for filing a defective report or statement. If the commission determines that a person failed to file the amended report or statement of organization not later than noon five (5) days after being given notice under section 14 of this chapter, the commission may assess a civil penalty. The penalty is ten dollars (\$10) for each day the report is late after the expiration of the five (5) day period, not to exceed one hundred dollars (\$100) plus any investigative costs incurred and documented by the election division. The civil penalty limit under this subsection applies to each report separately.

(c) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for a delinquent report or statement. If the commission determines that a person failed to file the report or statement of organization by the deadline prescribed under this article, the commission shall assess a civil penalty. The penalty is fifty dollars (\$50) for each day the report or statement is late, with the afternoon of the final date for filing the report or statement being calculated as the first day. The civil penalty under this subsection may not exceed one thousand dollars (\$1,000) plus any investigative costs incurred and documented by the election division. The civil penalty limit under this subsection applies to each report separately.

(d) This subsection applies to a person who is subject to a civil penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or (a)(10). If the commission determines that a person is subject to a civil penalty under subsection (a), the commission may assess a civil penalty of not more than one thousand dollars (\$1,000), plus any investigative costs incurred and documented by the election division.

(e) This subsection applies to a person who is subject to a civil penalty under subsection (a)(5). If the commission determines that a person is subject to a civil penalty under subsection (a)(5), the commission may assess a civil penalty of not more than three (3) times the amount of the contribution in excess of the limit prescribed by IC 3-9-2-4, plus any investigative costs incurred and documented by the election division.

(f) This subsection applies to a person who is subject to a civil penalty under subsection (a)(11). If the commission determines that a candidate or the candidate's committee has violated IC 3-9-2-12, the commission shall assess a civil penalty equal to the greater of the following, plus any investigative costs incurred and documented by the election division:

(1) Two (2) times the amount of any contributions received.

(2) One thousand dollars (\$1,000).

(g) This subsection applies to a person who is subject to a civil penalty under subsection (a)(12). If the commission determines that a corporation or a labor organization has failed to designate a contribution in violation of IC 3-9-2-5(c), the commission shall assess a civil penalty equal to the greater of the following, plus any investigative costs incurred and documented by the election division:

- (1) Two (2) times the amount of the contributions undesignated.
- (2) One thousand dollars (\$1,000).

(h) This subsection applies to a person who is subject to a civil penalty under subsection (a)(13). If the commission determines, by unanimous vote of the entire membership of the commission, that a person has violated IC 3-9-3-5, the commission may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the election division.

(i) This subsection applies to a person who is subject to a civil penalty under subsection (a)(14). If the commission determines, by unanimous vote of the entire membership of the commission, that a person has served as the treasurer of a committee in violation of any of the statutes listed in subsection (a)(14), the commission may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the election division.

(j) This subsection applies to a person who is subject to a civil penalty under subsection (a)(15). The commission may assess a civil penalty equal to the costs incurred by the election division for the manual entry of the data contained in the report or statement, plus any investigative costs incurred and documented by the election division.

(k) All civil penalties collected under this section shall be deposited with the treasurer of state in the campaign finance enforcement account.

(l) Proceedings of the commission under this section are subject to IC 4-21.5.

SECTION 4. IC 3-9-4-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 17. (a) In addition to any other penalty imposed, a person who does any of the following is subject to a civil penalty under this section:

- (1) Fails to file with a county election board a report in the manner required under IC 3-9-5 **or IC 3-9-8.**
- (2) Fails to file a statement of organization required under IC 3-9-1.
- (3) Is a committee or a member of a committee who disburses or expends money or other property for any political purpose before the money or other property has passed through the hands of the treasurer of the committee.
- (4) Makes a contribution other than to a committee subject to this article or to a person authorized by law or a committee to receive contributions in the committee's behalf.
- (5) Is a corporation or labor organization that exceeds any of the limitations on contributions prescribed by IC 3-9-2-4.
- (6) Makes a contribution in the name of another person.
- (7) Accepts a contribution made by one (1) person in the name of another person.
- (8) Is not the treasurer of a committee subject to this article, and pays any expenses of an election or a caucus except as authorized by this article.
- (9) Commingles the funds of a committee with the personal funds of an officer, a member, or an associate of the committee.

(10) Wrongfully uses campaign contributions in violation of IC 3-9-3-4.

(11) Fails to designate a contribution as required by IC 3-9-2-5(c).

(12) Violates IC 3-9-3-5.

(13) Serves as a treasurer of a committee in violation of any of the following:

- (A) IC 3-9-1-13(1).
- (B) IC 3-9-1-13(2).
- (C) IC 3-9-1-18.

(b) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for filing a defective report or statement. If the county election board determines that a person failed to file the report or a statement of organization not later than noon five (5) days after being given notice under section 14 of this chapter, the county election board may assess a civil penalty. The penalty is ten dollars (\$10) for each day the report is late after the expiration of the five (5) day period, not to exceed one hundred dollars (\$100) plus any investigative costs incurred and documented by the board. The civil penalty limit under this subsection applies to each report separately.

(c) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for a delinquent report or statement. If the county election board determines that a person failed to file the report or statement of organization by the deadline prescribed under this article, the board shall assess a civil penalty. The penalty is fifty dollars (\$50) for each day the report is late, with the afternoon of the final date for filing the report or statement being calculated as the first day. The civil penalty under this subsection may not exceed one thousand dollars (\$1,000) plus any investigative costs incurred and documented by the board. The civil penalty limit under this subsection applies to each report separately.

(d) This subsection applies to a person who is subject to a civil penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or (a)(10). If the county election board determines that a person is subject to a civil penalty under subsection (a), the board may assess a civil penalty of not more than one thousand dollars (\$1,000), plus any investigative costs incurred and documented by the board.

(e) This subsection applies to a person who is subject to a civil penalty under subsection (a)(5). If the county election board determines that a person is subject to a civil penalty under subsection (a)(5), the board may assess a civil penalty of not more than three (3) times the amount of the contribution in excess of the limit prescribed by IC 3-9-2-4, plus any investigative costs incurred and documented by the board.

(f) This subsection applies to a person who is subject to a civil penalty under subsection (a)(11). If the county election board determines that a corporation or a labor organization has failed to designate a contribution in violation of IC 3-9-2-5(c), the board shall assess a civil penalty equal to the greater of the following, plus any investigative costs incurred and documented by the board:

- (1) Two (2) times the amount of the contributions undesignated.
- (2) One thousand dollars (\$1,000).

(g) This subsection applies to a person who is subject to a civil penalty under subsection (a)(12). If the county election board determines, by unanimous vote of the entire membership of the board, that a person has violated IC 3-9-3-5, the board may assess a civil

penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the board.

(h) This subsection applies to a person who is subject to a civil penalty under subsection (a)(13). If the county election board determines, by unanimous vote of the entire membership of the board, that a person has served as the treasurer of a committee in violation of any of the statutes listed in subsection (a)(13), the board may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the board.

(i) All civil penalties collected under this section shall be deposited with the county treasurer to be deposited by the county treasurer in a separate account to be known as the campaign finance enforcement account. The funds in the account are available, with the approval of the county fiscal body, to augment and supplement the funds appropriated for the administration of this article.

(j) Money in the campaign finance enforcement account does not revert to the county general fund at the end of a county fiscal year.

(k) Proceedings of the county election board under this section are subject to IC 4-21.5.

SECTION 5. IC 3-9-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]:

Chapter 8. Reports Required for Certain Campaign Expenditures

Sec. 1. Except as provided in section 2 of this chapter, this chapter applies to an individual or an organization:

- (1) that makes a large expenditure; or
- (2) on whose behalf a large expenditure was made;

for the purpose of financing express advocacy communications through a newspaper, a magazine, an outdoor advertising facility, a poster, a yard sign, a direct mailing, or any other type of general public political advertising.

Sec. 2. (a) This chapter does not apply to the following:

- (1) Candidate's committees.
- (2) Regular party committees.
- (3) Political action committees.
- (4) A legislative caucus committee.
- (5) An auxiliary party organization.

(b) This chapter does not apply to:

- (1) a membership organization that is exempt from federal income taxation under Section 501(c) of the Internal Revenue Code, to the extent that the organization's express advocacy communications are made solely to the organization's members; or
- (2) an individual who makes an expenditure using only the individual's own resources.

Sec. 3. (a) As used in this chapter, "express advocacy communication" means a communication that expressly advocates the election or defeat of a clearly identified candidate.

(b) For the purposes of subsection (a), a candidate is clearly identified if any of the following apply:

- (1) The name of the candidate involved appears.
- (2) A photograph or drawing of the candidate appears.
- (3) The identity of the candidate is apparent by unambiguous reference.

Sec. 4. As used in this chapter, "large expenditure" means:

- (1) a single expenditure of at least ten thousand dollars (\$10,000); or

- (2) an aggregate of expenditures that totals at least ten thousand dollars (\$10,000).

Sec. 5. (a) An individual or organization that makes a large expenditure described in section 1 of this chapter shall file a report, in a form prescribed by the commission, with:

- (1) the election division, if the express advocacy communication is attempting to influence the election of a candidate for state or legislative office; or
- (2) the county election board of each county comprising part of the affected election district, if the express advocacy communication is attempting to influence the election of a candidate for local or school board office.

(b) The report required under subsection (a) must be filed not later than forty-eight (48) hours after an expenditure that constitutes a large expenditure under this chapter is made.

Sec. 6. A report required by section 5 of this chapter must contain the following information for each expenditure reported:

- (1) The full name, the full mailing address, the occupation, and the principal place of business, if any, of the person making the expenditure.
- (2) The full name, the full mailing address, the occupation, and the principal place of business, if any, of each person to whom the expenditure was made.
- (3) The total amount of the expenditure.
- (4) The date and time the expenditure was made.
- (5) The name of and the office sought by the candidate who is the subject of the communication financed by the expenditure.
- (6) The full name, the full mailing address, the occupation, and the principal place of business of each person who contributed or paid at least one hundred dollars (\$100) of the expenditure.
- (7) The full name and the full mailing address of the person filing the report.

Sec. 7. Except where a provision conflicts with this chapter or cannot be practicably applied, IC 3-9-4 governs a report filed under this chapter."

Renumber all SECTIONS consecutively.

(Reference is to SB 127 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 70, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "section 515" and insert "IC 24-4.5-3.5-5,".

Page 1, line 4, delete "of this chapter,".

Page 4, line 21, delete "section 515" and insert "IC 24-4.5-3.5-5,".

Page 4, line 22, delete "of this chapter,".

Page 5, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 3. IC 24-4.5-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS

[EFFECTIVE UPON PASSAGE]:

Chapter 3.5. Supervised Small Installment Loans

Sec. 1. Except as otherwise provided, all provisions of this article applying to consumer loans apply to supervised small installment loans, as defined in this chapter.

Sec. 2. As used in this chapter, "supervised small installment loan" refers to an unsecured supervised loan (as defined in IC 24-4.5-3-501(1)) that:

- (1) is made after March 28, 2006;
- (2) is for a principal amount of at least two hundred dollars (\$200) but not more than one thousand dollars (\$1,000);
- (3) has a minimum term of four (4) months;
- (4) has a maximum term of twelve (12) months; and
- (5) is payable in substantially equal monthly installments at equal periodic intervals.

Sec. 3. As used in this chapter, "supervised lender" includes:

- (1) all persons licensed to make loans under this article or any person who facilitates, enables, or acts as a conduit for any lender who is or may be exempt from licensing under IC 24-4.5-3-502;
- (2) a bank, savings association, credit union, or other state or federally regulated financial institution, except those that are specifically exempt regarding limitations on interest rates and fees; or
- (3) a person, if the department determines that a transaction is:

- (A) in substance a disguised supervised small installment loan; or
- (B) the application of subterfuge for the purpose of avoiding this chapter.

Sec. 4. (a) A debtor may rescind a supervised small installment loan:

- (1) under the same procedures; and
- (2) within the same three (3) rescission day period;

set forth in Section 125 of the Federal Consumer Credit Protection Act (15 U.S.C. 1635).

(b) A supervised lender may not accrue interest during the rescission period described in subsection (a)(2).

(c) A supervised lender must make available for disbursement the proceeds of a supervised small installment loan on the later of:

- (1) the date the supervised lender is reasonably satisfied that the debtor has not rescinded the supervised small installment loan; or
- (2) the first business day after the expiration of the rescission period described in subsection (a)(2).

Sec. 5. (a) Except as provided in subsection (f), a supervised lender may charge both of the following charges, instead of the maximum finance charge permitted under IC 24-4.5-3-508:

- (1) An origination fee for making the supervised small installment loan in an amount not exceeding ten percent (10%) of the principal amount.
- (2) An installment account finance charge in an amount not exceeding the following:
 - (A) Twelve dollars (\$12) per month for a loan for a principal amount of at least two hundred dollars (\$200) but not more than three hundred dollars (\$300).
 - (B) Fourteen dollars (\$14) per month for a loan for a

principal amount of more than three hundred dollars (\$300) but not more than four hundred dollars (\$400).

(C) Sixteen dollars (\$16) per month for a loan for a principal amount of more than four hundred dollars (\$400) but not more than five hundred dollars (\$500).

(D) Seventeen dollars (\$17) per month for a loan for a principal amount of more than five hundred dollars (\$500) but not more than eight hundred dollars (\$800).

(E) Twenty dollars (\$20) per month for a loan for a principal amount of more than eight hundred dollars (\$800) but not more than one thousand dollars (\$1,000).

(b) The origination fee under subsection (a)(1) is not subject to rebate, except that if a supervised small installment loan is prepaid in full, refinanced, or consolidated not later than sixty (60) days after the date the supervised small installment loan is made, the first ten dollars (\$10) of the origination fee shall be retained by the supervised lender and a portion of the remainder shall be rebated at the rate of one-sixtieth (1/60) of the amount of the remainder of the origination fee per day, beginning on the day after the date of the prepayment, refinancing, or consolidation and ending on the sixtieth day after the date the supervised small installment loan was made. However, a supervised lender is not required to provide a rebate under this subsection if the amount of the rebate calculated under this subsection is less than one dollar (\$1).

(c) Upon prepayment in full, refinancing, or consolidation of the outstanding balance of a supervised small installment loan under this chapter, the unearned part of the installment account finance charge under subsection (a)(2) shall be refunded to the debtor according to the actuarial method, calculated as of the next scheduled installment due date following the date of prepayment, refinancing, or consolidation. However, a supervised lender is not required to provide a rebate under this subsection if the amount of the rebate calculated under this subsection is less than one dollar (\$1).

(d) The dollar amounts in subsections (a) and (b) are subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). For the adjustment of the amount of ten dollars (\$10) in subsection (b), the Reference Base Index to be used is the Index for October 1992.

(e) A supervised lender may not charge or contract for any other charge with respect to a supervised small installment loan except as authorized by this chapter. However, a supervised lender may charge the following for a supervised small installment loan:

- (1) A delinquency charge under IC 24-4.5-3-203.5.
- (2) A charge under IC 24-4.5-3-202(1)(f) for a returned check, negotiable order of withdrawal, or share draft.

(f) The charges allowed under this section may not be imposed on a supervised small installment loan to a debtor that has more than one (1) loan outstanding with the supervised lender.

Sec. 6. A supervised lender making a supervised small installment loan shall not commit or cause to be committed any of the following acts:

- (1) Threatening to use or using the criminal process in any state to collect on a supervised small installment loan.
- (2) Threatening to take an action against a debtor that is prohibited by this chapter.

(3) Making a misleading or deceptive statement regarding a supervised small installment loan or a consequence of taking a supervised small installment loan.

(4) Contracting for and collecting attorney's fees on supervised small installment loans made under this chapter.

(5) Entering any other transaction with the debtor that is designed to evade the applicability of this chapter.

(6) Engaging in unfair, deceptive, or fraudulent practices in the making or collecting of a supervised small installment loan.

(7) Charging to cash a check representing the proceeds of a supervised small installment loan.

(8) Including any of the following provisions in a supervised small installment loan document:

(A) A hold harmless clause.

(B) A confession of judgment clause.

(C) A mandatory arbitration clause, unless the terms and conditions of the arbitration have been approved by the director of the department.

(D) An assignment of or order for payment of wages or other compensation for services.

(E) A provision in which the debtor agrees not to assert a claim or defense arising out of contract.

(F) A waiver of any provision of this chapter.

(9) Selling insurance of any kind in connection with the making or collecting of a supervised small installment loan.

Sec. 7. (a) A supervised lender shall disclose to the debtor to whom a supervised small installment loan is made the information required by the Federal Consumer Credit Protection Act.

(b) In addition to the requirements of subsection (a), the supervised lender must conspicuously display in bold type a notice to the public, both in the lending area of each of the supervised lender's business locations and in all loan application documents, informing potential borrowers of the following:

(1) That the supervised lender may obtain consumer credit information about an applicant from one (1) or more private consumer credit reporting services in determining whether to make a supervised small installment loan to the applicant.

(2) That if the supervised lender makes a supervised small installment loan to a debtor, both positive and negative information concerning the debtor's payment activities with respect to the loan will be reported to one (1) or more private consumer credit reporting services."

Page 5, delete lines 35 through 42.

Delete page 6.

Page 7, delete lines 1 through 21.

(Reference is to SB 70 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 162, has had

the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 27-1-15.6-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 22. (a) An insurance producer may not receive compensation for the sale, solicitation, negotiation, or renewal of any insurance policy issued to any person or entity for whom the insurance producer, for a fee, acts as a consultant for that policy unless:

(1) the insurance producer provides to the insured a written agreement in accordance with section 23(c) of this chapter; and

(2) the insurance producer discloses to the insured the following information prior to the sale, solicitation, negotiation, or renewal of any policy:

(A) The fact that the insurance producer will receive compensation for the sale of the policy.

(B) The method of compensation.

(b) The requirements of this subsection are in addition to the requirements set forth in subsection (a): A risk manager described in IC 27-1-22-2.5(b)(2) shall, before providing risk management services to an exempt commercial policyholder (as defined in IC 27-1-22-2.5), disclose in writing to the exempt commercial policyholder whether the risk manager will receive or expects to receive any commission, fee, or other consideration from an insurer in connection with the purchase of a commercial insurance policy by the exempt commercial policyholder. However, if the risk manager charges the exempt commercial policyholder a fee for risk management services, the risk manager shall disclose in writing to the exempt commercial policyholder the specific amount of any commission, fee, or other consideration that the risk manager may receive from an insurer in connection with the purchase of the policy. The risk manager shall, before providing the risk management services, obtain from the exempt commercial policyholder a written acknowledgment of the disclosures made by the risk manager to the exempt commercial policyholder under this subsection.

SECTION 2. IC 27-1-15.6-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 23. (a) An individual or corporation shall not engage in the business of an insurance consultant until a consultant license has been issued to the individual or corporation by the commissioner. However, a consultant license is not required for the following:

(1) An attorney licensed to practice law in Indiana acting in the attorney's professional capacity.

(2) A duly licensed insurance producer or surplus lines producer.

(3) A trust officer of a bank acting in the normal course of the trust officer's employment.

(4) An actuary or a certified public accountant who provides information, recommendations, advice, or services in the actuary's or certified public accountant's professional capacity.

(b) An application for a license to act as an insurance consultant shall be made to the commissioner on forms prescribed by the commissioner. An applicant may limit the scope of the applicant's consulting services by stating the limitation in the application. The areas of allowable consulting services are:

(1) Class 1, consulting regarding the kinds of insurance specified in IC 27-1-5-1, Class 1; and

(2) Class 2 and Class 3, consulting regarding the kinds of insurance specified in IC 27-1-5-1, Class 2 and Class 3.

Within a reasonable time after receipt of a properly completed application form, the commissioner shall hold a written examination for the applicant that is limited to the type of consulting services designated by the applicant, and may conduct investigations and propound interrogatories concerning the applicant's qualifications, residence, business affiliations, and any other matter that the commissioner considers necessary or advisable in order to determine compliance with this chapter or for the protection of the public.

(c) For purposes of this subsection, "consultant's fee" does not include a late fee charged under section 24 of this chapter or fees otherwise allowed by law. A consultant shall provide consultant services as outlined in a written agreement. The agreement must be signed by the person receiving services, and a copy of the agreement must be provided to the person receiving services before any services are performed. The agreement must outline the nature of the work to be performed by the consultant and the method of compensation of the consultant. The signed agreement must be retained by the consultant for not less than two (2) years after completion of the services. A copy of the agreement shall be made available to the commissioner. In the absence of an agreement on the consultant's fee, the consultant shall not be entitled to recover a fee in any action at law or in equity.

(d) An individual or corporation shall not concurrently hold a consultant license and an insurance producer's license, surplus lines producer's license, or limited lines producer's license at any time.

(e) A licensed consultant shall not:

- (1) employ;
- (2) be employed by;
- (3) be in partnership with; or
- (4) receive any remuneration whatsoever;

from a licensed insurance producer, surplus lines producer, or limited lines producer or insurer, except that a consultant may be compensated by an insurer for providing consulting services to the insurer.

(f) A consultant license shall be valid for not longer than twenty-four (24) months and may be renewed and extended in the same manner as an insurance producer's license. The commissioner shall designate on the license the consulting services that the licensee is entitled to perform.

(g) All requirements and standards relating to the denial, revocation, or suspension of an insurance producer's license, including penalties, apply to the denial, revocation, and suspension of a consultant license as nearly as practicable.

(h) A consultant is obligated under the consultant's license to:

- (1) serve with objectivity and complete loyalty solely the insurance interests of the consultant's client; and
- (2) render the client such information, counsel, and service as within the knowledge, understanding, and opinion, in good faith of the licensee, best serves the client's insurance needs and interests.

(i) ~~Except as provided in subsection (j);~~ The form of a written agreement required by subsection (c) must be filed with the commissioner not less than thirty (30) days before the form is used.

If the commissioner does not expressly approve or disapprove the form within thirty (30) days after filing, the form is considered approved. At any time after notice and for cause shown, the commissioner may withdraw approval of a form effective thirty (30) days after the commissioner issues notice that the approval is withdrawn.

~~(j) Subsection (i) does not apply to the form of a written agreement under subsection (c) that is executed by an insurance producer and an exempt commercial policyholder (as defined in IC 27-1-22-2.5):~~

Page 1, line 3, strike "exempt" and insert ""

Page 1, line 3, strike "an" and insert "**a business, nonprofit, or governmental**".

Page 1, line 3, delete ":" and insert "**purchases a**".

Page 1, strike lines 4 through 6.

Page 1, line 7, strike "(2) has purchased the".

Page 1, line 7, after "of" insert "**commercial**".

Page 1, line 8, delete ";" and insert ".".

Page 1, line 8, strike "and".

Page 1, strike lines 9 through 17.

Page 2, strike lines 1 through 23.

Page 2, line 2, delete "ten".

Page 2, line 3, delete "(\$10,000)".

Page 2, after line 23, begin a new paragraph and insert:

"SECTION 4. IC 27-1-22-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. (a) Every insurer shall file with the commissioner every manual of classifications, rules, and rates, every rating schedule, every rating plan, and every modification of any of the foregoing which it proposes to use.

(b) **Except as provided in subsection (m)**, the following types of insurance are exempt from the requirements of subsections (a) and (j):

- (1) Inland marine risks, which by general custom of the business are not written according to manual rates or rating plans.
- (2) Insurance, other than workers compensation insurance, ~~or professional liability insurance~~, issued to ~~exempt~~ commercial policyholders.

(c) Every such filing shall indicate the character and extent of the coverage contemplated and shall be accompanied by the information upon which the filer supports such filing.

(d) The information furnished in support of a filing may include:

- (1) the experience and judgment of the insurer or rating organization making the filing;
- (2) its interpretation of any statistical data it relies upon;
- (3) the experience of other insurers or rating organizations; or
- (4) any other relevant factors.

The commissioner shall have the right to request any additional relevant information. A filing and any supporting information shall be open to public inspection as soon as stamped "filed" within a reasonable time after receipt by the commissioner, and copies may be obtained by any person on request and upon payment of a reasonable charge therefor.

(e) Filings shall become effective upon the date of filing by delivery or upon date of mailing by registered mail to the commissioner, or on a later date specified in the filing.

(f) Specific inland marine rates on risks specially rated, made by a rating organization, shall be filed with the commissioner.

(g) Any insurer may satisfy its obligation to make any such filings by becoming a member of, or a subscriber to, a licensed rating

organization which makes such filings and by authorizing the commissioner to accept such filings on its behalf, provided that nothing contained in this chapter shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization or as requiring any member or subscriber to authorize the commissioner to accept such filings on its behalf.

(h) Every insurer which is a member of or a subscriber to a rating organization shall be deemed to have authorized the commissioner to accept on its behalf all filings made by the rating organization which are within the scope of its membership or subscribership, provided:

(1) that any subscriber may withdraw or terminate such authorization, either generally or for individual filings, by written notice to the commissioner and to the rating organization and may then make its own independent filings for any kinds of insurance, or subdivisions, or classes of risks, or parts or combinations of any of the foregoing, with respect to which it has withdrawn or terminated such authorization, or may request the rating organization, within its discretion, to make any such filing on an agency basis solely on behalf of the requesting subscriber; and

(2) that any member may proceed in the same manner as a subscriber unless the rating organization shall have adopted a rule, with the approval of the commissioner:

(A) requiring a member, before making an independent filing, first to request the rating organization to make such filing on its behalf and requiring the rating organization, within thirty (30) days after receipt of such request, either:

- (i) to make such filing as a rating organization filing;
- (ii) to make such filing on an agency basis solely on behalf of the requesting member; or
- (iii) to decline the request of such member; and

(B) excluding from membership any insurer which elects to make any filing wholly independently of the rating organization.

(i) Under such rules as the commissioner shall adopt, the commissioner may, by written order, suspend or modify the requirement of filing as to any kinds of insurance, or subdivision, or classes of risk, or parts or combinations of any of the foregoing, the rates for which can not practicably be filed before they are used. Such orders and rules shall be made known to insurers and rating organizations affected thereby. The commissioner may make such examination as the commissioner may deem advisable to ascertain whether any rates affected by such order are excessive, inadequate, or unfairly discriminatory.

(j) Upon the written application of the insured, stating the insured's reasons therefor, filed with the commissioner, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

(k) An insurer shall not make or issue a policy or contract except in accordance with filings which are in effect for that insurer or in accordance with the provisions of this chapter. Subject to the provisions of section 6 of this chapter, any rates, rating plans, rules, classifications, or systems in effect on May 31, 1967, shall be continued in effect until withdrawn by the insurer or rating organization which filed them.

(l) The commissioner shall have the right to make an investigation and to examine the pertinent files and records of any insurer,

insurance producer, or insured in order to ascertain compliance with any filing for rate or coverage which is in effect. The commissioner shall have the right to set up procedures necessary to eliminate noncompliance, whether on an individual policy, or because of a system of applying charges or discounts which results in failure to comply with such filing.

(m) The department may adopt rules to

(1) implement the exemption under subsection (b);

(2) impose disclosure requirements the commissioner determines are necessary to adequately protect exempt commercial policyholders; and

(3) establish the form of the report required by subsection (n).

(n) Each insurer who issues insurance to an exempt commercial policyholder shall file an annual report with the department by February 1 of each year. The annual report may not disclose the identity of an exempt commercial policyholder and must include only the following information regarding each exempt commercial policyholder:

(1) The account number, policy number, or other number used by the insurer to identify the insured;

(2) The amount of aggregate annual commercial premium;

(3) The inception date and expiration date of commercial insurance coverage provided by the insurer;

(4) The criteria in section 2-5(a)(3) of this chapter used to establish the entity as an exempt commercial policyholder;

(o) The annual report filed under subsection (n) must be accompanied by the fee prescribed by IC 27-1-3-15(e). For purposes of calculating the required fee, each policy purchased by an exempt commercial policyholder shall be considered a product filing under IC 27-1-3-15(e).

(m) This subsection applies to an insurer that issues a commercial property or commercial casualty insurance policy to a commercial policyholder. Not more than thirty (30) days after the insurer begins using a commercial property or commercial casualty insurance:

(1) rate;

(2) rating plan;

(3) manual of classifications; or

(4) modification of an item specified in subdivision (1), (2), or (3);

the insurer shall file with the department, for informational purposes only, the item specified in subdivision (1), (2), (3), or (4). Use of an item specified in subdivision (1), (2), (3), or (4) is not conditioned on review or approval by the department. This subsection does not require filing of an individual policy rate if the original manuals, rates, and rules for the insurance plan or program to which the individual policy conforms has been filed with the department.

SECTION 5. [EFFECTIVE JULY 1, 2006] IC 27-1-20-34 IS REPEALED."

Renumber all SECTIONS consecutively.

(Reference is to SB 162 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 383, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, delete "IC 24-4.5-3-502." and insert **"IC 24-4.5-3-502, other than an employee of a lender acting within the scope of the employee's duties for the lender."**

Page 2, between lines 7 and 8, begin a new paragraph and insert: **"(c) This chapter does not apply to:**

- (1) any supervised financial institution;**
- (2) any supervised lender licensed to do business in the state; or**
- (3) the employee of a supervised financial institution or a supervised lender while acting within the scope of the employee's duties."**

Page 2, between lines 15 and 16, begin a new paragraph and insert: **"Sec. 5. As used in this chapter, "motor vehicle" has the meaning set forth in IC 9-13-2-105(a). However, the term does not include a recreational vehicle (as defined in IC 9-13-2-150(a)) or a watercraft (as defined in IC 9-13-2-198.5)."**

Page 2, line 16, delete "5." and insert "6."

Page 2, line 17, delete "pledge." and insert **"pledge secured by the bailment of a motor vehicle title left in possession of the lender."**

Page 2, line 18, delete "6." and insert "7."

Page 2, line 19, after "secured by" insert **"the bailment of"**.

Page 2, line 21, delete "7." and insert "8."

Page 2, line 25, delete "8." and insert "9."

Page 2, line 28, delete "9." and insert **"10."**

Page 2, line 28, delete ":".

Page 2, line 29, delete "(1)".

Page 2, line 29, delete "; and" and insert ".".

Page 2, run in lines 28 through 29.

Page 2, delete lines 30 through 34.

Page 2, between line 34 and 35, begin a new paragraph and insert: **"Sec. 11. As used in this chapter, "unencumbered certificate of title" means a motor vehicle title that does not list a lienholder on the certificate of title and for which the lender holding the motor vehicle title has not applied for and does not intend to apply for a new certificate of title in order to record the lender's security interest."**

Page 2, line 35, delete "10." and insert **"12."**

Page 2, line 39, delete "11" and insert **"13"**.

Page 2, line 40, delete "11." and insert **"13."**

Page 3, line 2, delete "12." and insert **"14."**

Page 3, line 3, delete "Truth in" and insert **"Consumer Credit Protection Act."**

Page 3, delete line 4.

Page 3, line 36, after "WRITING." begin a new line block indented and insert:

"MOTOR VEHICLE TITLE LOANS ARE REGULATED BY THE STATE OF INDIANA DEPARTMENT OF FINANCIAL INSTITUTIONS."

Page 4, line 7, delete "13." and insert **"15."**

Page 4, line 7, delete "at".

Page 4, line 8, delete "least".

Page 4, line 14, delete "may" and insert **"shall"**.

Page 4, line 14, delete "of some or all of".

Page 4, line 14, after "of a" insert **"principal reduction"**.

Page 4, line 16, after "amount." insert **"After the tenth renewal of a motor vehicle title loan, the balance on the motor vehicle title loan must be paid in full. However, the borrower and lender may agree to enter into a simple interest loan that is payable in installments not later than seven (7) days after the date the tenth renewal is due."**

Page 4, line 17, delete "14." and insert **"16."**

Page 5, line 4, after "return the" insert **"original loan check or"**.

Page 5, between lines 9 and 10, begin a new paragraph and insert: **"(h) A motor vehicle title lender shall keep a record of the following information along with the loan agreement for a period of two (2) years from the date the title loan agreement was executed:**

(1) A description of the pledged motor vehicle, including the:

(A) make;

(B) model; and

(C) vehicle number.

(2) The amount of the loan.

(3) A record of all principal, interest, and fees collected.

(4) The name, date of birth, and copy of a government issued identification card of the borrower.

(5) The date the motor vehicle title loan was executed."

Page 5, line 10, delete "15." and insert **"17."**

Page 5, line 13, delete "16." and insert **"18."**

Page 5, line 13, delete "(a) This section does not apply to a person that is".

Page 5, delete lines 14 through 15.

Page 5, line 16, delete "(b)".

Page 5, run in lines 13 through 16.

Page 5, line 27, delete "17." and insert **"19."**

Page 5, line 29, delete "borrower other than charges authorized by this chapter." and insert **"borrower, except where the borrower chooses to redeem a repossessed motor vehicle and must reimburse any repossession charges the motor vehicle title lender paid to a third party."**

Page 5, line 32, delete "the".

Page 5, line 33, delete "borrower at".

Page 5, line 34, delete "vehicle." and insert **"vehicle not earlier than ten (10) days after the default."**

Page 5, line 35, delete "ten (10)" and insert **"twenty (20)"**.

Page 5, line 37, delete "ten (10)" and insert **"twenty (20)"**.

Page 6, line 9, delete "ten (10)" and insert **"twenty (20)"**.

Page 6, line 23, delete "18." and insert **"20."**

Page 7, line 5, delete "19." and insert **"21."**

Page 7, line 41, delete "enforceable" and insert **"unenforceable"**.

Page 8, between lines 6 and 7, begin a new line block indented and insert:

"(10) Require or accept from a consumer a set of keys to the motor vehicle the title of which secures the title loan."

Page 8, line 7, delete "20." and insert **"22."**

Page 8, line 9, delete "21." and insert **"23."**

Page 8, line 18, delete "22." and insert **"24."**

Page 8, line 29, delete "23." and insert **"25."**

Page 8, delete lines 31 through 42.
 Delete pages 9 through 11.
 Renumber SECTIONS consecutively.
 (Reference is to SB 383 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 9, Nays 2.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 100, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, after line 5, begin a new paragraph and insert:

"SECTION 3. IC 4-32-9-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. (a) Except:

(1) where a qualified organization or its affiliate is having a convention or other annual meeting of its membership; or

(2) as provided in subsection (c);

a qualified organization may only conduct an allowable event in the county where the principal office of the qualified organization is located as determined under subsection (b).

(b) The principal office of a qualified organization shall be determined as follows:

(1) Except as provided in subdivision (3) or ~~subdivision~~ (4), if a qualified organization is a corporation, the principal office shall be determined by the street address of the corporation's registered office on file with the secretary of state.

(2) If a qualified organization is not a corporation, the principal office shall be determined by the street address of the organization on file with the Internal Revenue Service, the department, or county property tax assessment board of appeals for tax exempt purposes.

(3) If a qualified organization is affiliated with a parent organization that:

(A) is organized in Indiana; and

(B) has been in existence for at least five (5) years; the principal office shall be determined by the principal place of business of the qualified organization.

(4) If a qualified organization is affiliated with a parent organization that:

(A) is a nationally recognized charitable organization;

(B) serves a majority of counties in Indiana; and

(C) has been in existence for at least twenty-five (25) years; the principal office shall be deemed to be present in every county served by the organization.

(c) A qualified organization that is a bona fide political organization may conduct an allowable event in any county."

Renumber all SECTIONS consecutively.

(Reference is to SB 100 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections and Civic Affairs, to which was referred Senate Bill 37, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-49.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 49.9. (a) "Vote center" means a polling place where a voter who resides in the county in which the vote center is located may vote without regard to the precinct in which the voter resides.

(b) This section expires December 31, 2009."

Page 14, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 33. IC 3-7-39-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to a voter who changes residence from a precinct in a county to another precinct in the same county.

(b) As required under 42 U.S.C. 1973gg-6(f), the ~~circuit court clerk or board of county voter~~ registration office:

(1) shall correct the address shown on the voter registration records for a voter subject to this section; and

(2) may not remove the voter from the voter registration records due to a change of address, except as provided in ~~IC 3-7-44~~ this title.

(c) A voter described in this section, who is otherwise eligible to vote, may vote as provided in IC 3-10-11 or IC 3-10-12."

Page 20, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 51. IC 3-8-2-2.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.6. (a) This section applies to a write-in candidate for a school board office to be elected on the same election day that a primary election is conducted.

(b) A:

(1) declaration of intent to be a write-in candidate; or

(2) withdrawal of a declaration;

must be subscribed and sworn to before an individual authorized to administer oaths.

(c) A declaration of intent to be a write-in candidate for a school board office must be filed:

(1) not earlier than the first date specified in IC 3-8-6-10(b) for the timely filing of a petition of nomination; and

(2) not later than noon seventy-four (74) days before the primary election.

(d) A candidate may withdraw a declaration of intent filed under subsection (c) not later than noon seventy-one (71) days before the primary election.

(e) A question concerning the validity of a declaration of intent to be a write-in candidate for a school board office must be filed with the county election board under IC 3-8-1-2(c) not later than noon sixty-seven (67) days before the date of the primary election. The county election board shall determine all questions regarding the validity of the declaration not later than noon fifty-four (54) days before the date of the primary election.

SECTION 52. IC 3-8-2-2.7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.7. (a) This

subsection does not apply to a write-in candidate for school board office who is subject to section 2.6(c) of this chapter. A candidate may withdraw a declaration of intent to be a write-in candidate not later than noon July 15 before a general or municipal election.

(b) This subsection applies to a candidate who filed a declaration of intent to be a write-in candidate with the election division. The election division shall issue a corrected certification of write-in candidates under IC 3-8-7-30 as soon as practicable after a declaration is withdrawn under this section.

SECTION 53. IC 3-8-2-4, AS AMENDED BY P.L.230-2005, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) A declaration of candidacy for a primary election must be filed not later than noon seventy-four (74) days and not earlier than one hundred four (104) days before the primary election. The declaration must be subscribed and sworn to before a person authorized to administer oaths.

(b) **This subsection does not apply to a write-in candidate for school board office who is subject to section 2.6(c) of this chapter.** A declaration of intent to be a write-in candidate must be filed:

- (1) not earlier than the first date specified in IC 3-8-6-10(b) for the timely filing of a petition of nomination; and
- (2) not later than noon on the date specified by IC 3-13-1-15(c) for a major political party to file a certificate of candidate selection.

The declaration must be subscribed and sworn to before a person authorized to administer oaths.

(c) During a year in which a federal decennial census, federal special census, special tabulation, or corrected population count becomes effective under IC 1-1-3.5, a declaration of:

- (1) candidacy may be filed for an office that will appear on the primary election ballot; or
- (2) intent to be a write-in candidate for an office that will appear on the general, municipal, or school board election ballot;

that year as a result of the new tabulation of population or corrected population count."

Page 20, line 9, delete "[EFFECTIVE".

Page 20, line 10, delete "JULY 1, 2006]" and insert "[EFFECTIVE UPON PASSAGE]".

Page 22, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 57. IC 3-9-5-6, AS AMENDED BY P.L.221-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) This subsection applies to a candidate's committee other than a candidate's committee of a candidate for a state office. Except as otherwise provided in this chapter, each committee, the committee's treasurer, and each candidate shall complete a report required by this chapter current and dated as of the following dates:

- (1) Twenty-five (25) days before the nomination date.
- (2) Twenty-five (25) days before the general, municipal, or special election.
- (3) The annual report filed and dated as required by section 10 of this chapter.

(b) This subsection applies to a regular party committee. Except as otherwise provided in this chapter, each committee and the committee's treasurer shall complete a report required by this chapter current and dated as of the following dates:

- (1) Twenty-five (25) days before a primary election.
- (2) Twenty-five (25) days before a general, municipal, or special election.
- (3) The date of the annual report filed and dated as required under section 10 of this chapter.

(c) This subsection applies to a legislative caucus committee. Except as otherwise provided in this chapter, each committee and the committee's treasurer shall complete a report required under this chapter current and dated as of the following dates:

- (1) Twenty-five (25) days before a primary election conducted in an even-numbered year.
- (2) Twenty-five (25) days before a general election conducted in an even-numbered year.
- (3) The date of the annual report filed and dated as required under section 10 of this chapter.

A legislative caucus committee is not required to file any report concerning the committee's activity during an odd-numbered year other than the annual report filed and dated under section 10 of this chapter.

(d) This subsection applies to a political action committee. Except as otherwise provided in this chapter, each committee and the committee's treasurer shall complete a report required by this chapter current and dated as of the following dates:

- (1) Twenty-five (25) days before a primary election.
- (2) Twenty-five (25) days before a general, municipal, or special election.
- (3) The date of the annual report filed and dated as required under section 10 of this chapter.

(e) This subsection applies to a candidate's committee of a candidate for a state office. A candidate's committee is not required to file a report under section 8.2, 8.4, or 8.5 of this chapter. For a year in which an election to the state office is held, the treasurer of a candidate's committee shall file the following reports:

- (1) A report covering the period from January 1 through March 31 of the year of the report. A report required by this subdivision must be filed not later than noon April 15 of the year covered by the report.
- (2) A report covering the period from April 1 through June 30 of the year of the report. A report required by this subdivision must be filed not later than noon July 15 of the year covered by the report.
- (3) A report covering the period from July 1 through September 30 of the year of the report. A report required by this subdivision must be filed not later than noon October 15 of the year covered by the report.
- (4) A report covering the period from October 1 of the year of the report through the date that is fifteen (15) days before the date of the election. A report required by this subdivision must be filed not later than noon seven (7) days before the date of the election.
- (5) A report covering the period from the date that is ~~fifteen (15)~~ **fourteen (14)** days before the date of the election through December 31 of the year of the report. A report required by this subdivision must:

- (A) provide cumulative totals from January 1 through December 31 of the year of the report; and
- (B) be filed not later than the deadline specified in section 10

of this chapter.

SECTION 58. IC 3-9-5-8, AS AMENDED BY P.L.221-2005, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section:

- (1) applies to a candidate for nomination to an office in a convention who becomes a candidate less than twenty-five (25) days before the nomination date for a candidate chosen at a convention; and
- (2) does not apply to a candidate for nomination to a state office by a ~~major~~ political party at a convention conducted under IC 3-8-4.

(b) A candidate is not required to file a report in accordance with section 6(a)(1) of this chapter. The candidate shall file the candidate's first report not later than noon twenty (20) days after the nomination date for a candidate chosen at a convention.

(c) The reporting period for the first report required for a candidate begins on the date that the individual became a candidate and ends on the day following the adjournment of the convention."

Page 28, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 70. IC 3-11-1.5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) A county executive must submit a proposed precinct establishment order to the co-directors before the county executive establishes a precinct under this chapter.

(b) To ensure sufficient time for review to determine whether a proposed precinct establishment order complies with this chapter, the co-directors may fix a date and time by which a county executive must submit an order under section 15 of this chapter if the county wishes to have the proposed order take effect before the beginning of the next period specified under section 25 of this chapter. The election division shall notify each county election board of the date fixed under this subsection at least ninety (90) days before the date occurs.

(c) If a county submits an order after the date and time fixed under subsection (b), the co-directors may review the order only after completing the review of orders submitted in compliance with subsection (b).

(d) This subsection applies to an order submitted after the date and time fixed under subsection (b). If the co-directors are unable to determine whether a proposed order complies with this chapter before the beginning of the next period specified under section 25 of this chapter, the co-directors shall complete the review so that, if the proposed order is otherwise approved under this chapter, the order may take effect following the end of the next period specified under section 25 of this chapter.

SECTION 71. IC 3-11-1.5-18, AS AMENDED BY P.L.221-2005, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. (a) If the election division determines that the proposed precinct establishment order would comply with this chapter, the election division shall issue an order authorizing the county executive to establish the proposed precincts.

(b) The order issued by the election division under subsection (a) must state that the election division finds that the proposed precincts would comply with the standards set forth in this chapter. The election division shall promptly provide a copy of the order to the county executive.

(c) The county executive must give notice of the proposed order to the voters of the county by one (1) publication under IC 5-3-1-4. The notice must state the following:

- (1) The name of each existing precinct whose boundaries would be changed by the adoption of the proposed order by the county.
- (2) That any registered voter of the county may object to the proposed order by filing a sworn statement with the election division setting forth the voter's specific objections to the proposed order and requesting that a hearing be conducted by the commission under IC 4-21.5.
- (3) The mailing address of the election division.
- (4) The deadline for filing the objection with the election division under this section.

(d) An objection to a proposed precinct establishment order must be filed not later than noon ten (10) days after the publication of the notice by the county executive.

(e) If an objection is not filed with the election division by the date and time specified under subsection (d), the election division shall promptly notify the county executive. The county executive may proceed immediately to adopt the proposed order.

(f) If an objection is filed with the election division by the date and time specified under subsection (d), the election division shall promptly notify the county executive. The county executive may not adopt the proposed order until the commission conducts a hearing under IC 4-21.5 and determines whether the proposed precincts would comply with the standards set forth in this chapter.

(g) If the co-directors determine that the expiration of the ten (10) day period described in subsection (d) will occur:

- (1) after the next period specified under section 25 of this chapter begins; or**
- (2) without sufficient time for a county or an objector to receive notice of a hearing before the commission concerning an objection before the next period specified under section 25 of this chapter begins;**

the co-directors may request a hearing before the commission under section 21 of this chapter and notify the county executive of the request.

SECTION 72. IC 3-11-1.5-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. (a) If the county executive believes that the proposed order described by section 19 of this chapter complies with this chapter, the county executive may resubmit the order to the co-directors and request a hearing before the commission.

(b) The co-directors may request a hearing before the commission under section 18(g) of this chapter.

(c) The hearing under this section shall be conducted in accordance with IC 4-21.5.

~~(b)~~ (d) If the commission determines that the proposed precinct establishment order complies with this chapter, the co-directors shall advise the county executive that the order complies with this chapter and may be issued by the county executive."

Page 29, line 3, delete "circuit court clerk or board of" and insert "county voter".

Page 29, line 3, after "registration" delete "." and insert "office".

Page 29, line 32, reset in roman "of".

Page 29, line 33, reset in roman "ANY party".

Page 30, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 79. IC 3-11-3-22, AS AMENDED BY P.L.221-2005, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Each county election board shall have printed in at least 14 point type on cards in English, braille, and any other language that the board considers necessary, the following:

- (1) Instructions for the guidance of voters in preparing their ballots.
- (2) Instructions explaining the procedure for write-in voting.
- (3) Write-in voting notice cards that must be posted in each precinct that utilizes a ~~ballot card~~ voting system that does not permit a voter to alter the voter's ballot after making a voting mark for a write-in ~~voting~~ candidate so that the voter may vote for a candidate for that office whose name appears on the ballot.

(b) The write-in notice cards described in subsection (a)(3) must ~~direct~~ inform all voters that a voter:

- (1) who ~~want~~ wants to cast write-in votes to request a write-in ballot from an election official: may cast the voter's ballot on the voting system required to be available to all voters in the precinct under IC 3-11-15-13.3(e); and
- (2) may choose to cast the voter's ballot on the voting system described in subdivision (1) without being required to indicate to any individual that the voter wishes to cast a ballot on the voting system because the voter intends to cast a ballot for a write-in candidate.

~~(b)~~ (c) The board shall furnish the number of cards it determines to be adequate for each precinct to the inspector at the same time the board delivers the ballots for the precinct and shall furnish a magnifier upon request to a voter who requests a magnifier to read the cards."

Page 33, line 36, reset in roman "(f)".

Page 33, line 36, delete "each" and insert "Each".

Page 33, line 36, reset in roman "county shall purchase at".

Page 33, reset in roman lines 37 through 38.

Page 33, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 83. IC 3-11-6.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2006 (RETROACTIVE)]: Sec. 5. (a) If a county's application is approved under section 4 of this chapter, the secretary of state with the consent of the co-directors of the election division shall, subject to this section, reimburse the county from the fund an amount to be determined by the secretary of state with the consent of the co-directors of the election division.

(b) Payment of money from the fund is subject to the availability of money in the fund and the requirements of this chapter and HAVA.

(c) It is the intent of the general assembly that a county eligible for reimbursement under section 4 of this chapter be reimbursed from federal money received by the state to the maximum extent permitted by federal law.

~~(d) This section expires January 1, 2006."~~

Page 50, line 2, delete "[EFFECTIVE".

Page 50, line 3, delete "JULY 1, 2006]" and insert "[EFFECTIVE UPON PASSAGE]".

Page 50, line 13, strike "July 1, 2003;" and insert "**October 1, 2005;**".

Page 50, line 14, strike "July 1, 2003;" and insert "**October 1, 2005;**".

Page 50, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 106. IC 3-11-18 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 18. Vote Centers

Sec. 1. This chapter applies to a county designated as a vote center pilot county under this chapter.

Sec. 2. The secretary of state may designate a county as a vote center pilot county under this chapter.

Sec. 3. For a county to be designated a vote center pilot county:

- (1) the county election board (or board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4), by unanimous vote of the entire membership of the board, must approve the filing of an application to be designated a vote center pilot county;
- (2) all members of the board must sign the application; and
- (3) the application must be filed with the secretary of state.

Sec. 4. The application must include a plan for the administration of vote centers in the county. The plan must include at least the following:

- (1) The total number of vote centers to be established.
- (2) The location of each vote center and the municipality, if any, in which the vote center is located.
- (3) A list of each municipality within the county that is entitled to conduct a municipal primary or municipal election, as of the date of the application.
- (4) The total number of voters within each municipality, as of the date of the application, and the number of those voters within each municipality designated as "active" and "inactive" according to the county voter registration office.
- (5) For each vote center designated under subdivision (2), a list of the precincts whose polls will be located at the vote center.
- (6) For each vote center designated under subdivision (2), the number of precinct election boards that will be appointed to administer an election at the vote center.
- (7) For each precinct election board designated under subdivision (6), the number and name of each precinct the precinct election board will administer.
- (8) For each vote center designated under subdivision (2), the number and title of the precinct election officers who will be appointed to serve at the vote center.
- (9) For each vote center designated under subdivision (2):
 - (A) the number and type of ballot variations that will be provided at the vote center; and
 - (B) whether these ballots will be:
 - (i) delivered to the vote center before the opening of the polls; or
 - (ii) printed on demand for a voter's use.
- (10) A detailed description of any hardware, firmware, or software used:
 - (A) to create an electronic poll list for each precinct whose polls are to be located at a vote center; or

(B) to establish a secure electronic connection between the county election board and the precinct election officials administering a vote center.

(11) A description of the equipment and procedures to be used to ensure that information concerning a voter entered into any electronic poll list used by precinct election officers at a vote center is immediately accessible to:

(A) the county election board; and

(B) the electronic poll lists used by precinct election officers at all other vote centers in the county.

(12) For each precinct designated under subdivision (5), the number of electronic poll lists to be provided for the precinct.

(13) The security and contingency plans to be implemented by the county to:

(A) prevent a disruption of the vote center process; and

(B) ensure that the election is properly conducted if a disruption occurs.

(14) A certification that the vote center complies with the accessibility requirements applicable to polling places under IC 3-11-8.

(15) A sketch depicting the planned layout of the vote center, indicating the location of:

(A) equipment; and

(B) precinct election officers;

within the vote center.

(16) The total number of vote centers to be established at satellite offices that are established under IC 3-11-10-26.3 to allow voters to cast absentee ballots in accordance with IC 3-11.

Sec. 5. (a) Except for a municipality described in subsection (b), a plan must provide a vote center for use by voters residing in each municipality within the county conducting a municipal primary or a municipal election.

(b) A vote center may not be used in a municipal primary or municipal election conducted within a municipality that is partially located in a county that has not been designated a vote center pilot county.

Sec. 6. When the total number of voters designated under section 4(4) of this chapter as "active" equals at least twenty-five thousand (25,000) in the municipalities listed in the plan, the following applies:

(1) The plan must provide for at least one (1) vote center for each ten thousand (10,000) active voters.

(2) In addition to the vote centers designated in subdivision (1), the plan must provide for a vote center for any fraction of ten thousand (10,000) voters.

Sec. 7. Before approving an application to designate a county as a vote center pilot county under this chapter, the secretary of state must determine the following:

(1) That the secure electronic connection as described under section 4(10)(B) of this chapter is sufficient to prevent:

(A) any voter from voting more than once; and

(B) unauthorized access by any person to:

(i) the electronic poll lists for a precinct whose polls are to be located at the vote center; or

(ii) the computerized list of voters of the county.

(2) That the planned design and location of the equipment and precinct election officers will provide the most efficient access for:

(A) voters to enter the polls, cast their ballots, and leave the vote center; and

(B) precinct election officers, watchers, challengers, and pollbook holders to exercise their rights and perform their duties within the vote center.

Sec. 8. The designation of a county as a vote center pilot county takes effect immediately unless otherwise specified by the secretary of state.

Sec. 9. The county executive shall publish notice of the location of each vote center in accordance with IC 3-11-8-3.2.

Sec. 10. (a) An order issued by a county to:

(1) designate the polls for a precinct or to locate the polls for a precinct at the polls for an adjoining precinct under IC 3-10 or IC 3-11; or

(2) omit precinct election officers under IC 3-6-6-38 at a specified precinct;

is suspended during the period that the voters of that precinct are entitled to cast a ballot at a vote center.

(b) An order suspended under subsection (a) is revived and in full force and effect without further action by a county when the voters of that precinct are no longer entitled to cast a ballot at a vote center under this chapter.

Sec. 11. Except as otherwise provided by this chapter, the county shall administer an election conducted at a vote center in accordance with federal law, IC 3, and the plan submitted with the application under section 4 of this chapter.

Sec. 12. Notwithstanding any other law, a voter who resides in a vote center pilot county is entitled to cast an absentee ballot at a vote center located at a satellite office of the county election board established under IC 3-11-10-26.3 in the same manner and subject to the same restrictions applicable to a voter wishing to cast an absentee ballot before an absentee board located in the office of the circuit court clerk or board of elections and registration.

Sec. 13. Notwithstanding any other law, the electronic poll list used at each vote center:

(1) must be capable of capturing an electronic image of the signature of a voter on the list; and

(2) may be in a format approved by the secretary of state.

Sec. 14. Notwithstanding any other law, including IC 3-11-8-2 and IC 3-14-2-11, a voter who resides in a vote center pilot county is entitled to cast a ballot at any vote center established in the county without regard to the precinct in which the voter resides.

Sec. 15. (a) In addition to the precinct election officers appointed under IC 3-6-6, a county election board by the unanimous vote of the entire membership may appoint one (1) or more greeters to:

(1) direct voters entering the vote center to the appropriate location for the voters to sign the electronic poll list; and

(2) provide other instructions to facilitate the efficient movement of individuals within the vote center.

(b) An individual appointed as a greeter under this section must bear credentials issued by the county election board stating the name of the individual and the individual's status as a greeter.

Sec. 16. The precinct election board administering an election at a vote center shall keep the ballots cast in each precinct separate from the ballots cast in any other precinct whose election is administered at the vote center, so that the votes cast for each candidate and on each public question in each of the precincts administered by the board may be determined.

Sec. 17. (a) The secretary of state may permit a county to amend a plan submitted under section 4 of this chapter.

(b) For a county to amend its plan:

- (1) the county election board (or board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4), by unanimous vote of the entire membership of the board, must approve the filing of a request to amend the plan;**
- (2) all members of the board must sign the request; and**
- (3) the request must be filed with the secretary of state.**

(c) The request for amendment must set forth the specific amendments proposed to be made to the plan.

Sec. 18. The designation of a county as a vote center pilot county may be revoked by the secretary of state:

- (1) following the filing of a request for revocation approved by the unanimous vote of the entire membership of the county election board (or board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4) and signed by all members of the board; or**
- (2) upon a determination by the secretary of state that the administration of the vote center pilot program within the county does not comply with:**

(A) federal or state law; or

(B) the plan submitted under section 4 of this chapter.

Sec. 19. Notwithstanding IC 4-22-2, the secretary of state may adopt guidelines to administer the pilot program under this chapter.

Sec. 20. This chapter expires December 31, 2009."

Page 51, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 108. IC 3-12-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A candidate who is nominated or elected to an office at an election on the face of the election returns may file a verified cross-petition for a recount no later than noon ~~fourteen (14)~~ **twenty-one (21)** days after election day. If a petition for a recount is filed for an office for which voters in more than one (1) county vote, a cross-petition for a recount may be filed in a county other than the one in which the first petition was filed."

Page 51, line 26, delete "[EFFECTIVE".

Page 51, line 27, delete "JULY 1, 2006]" and insert "[EFFECTIVE UPON PASSAGE]".

Page 52, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 110. IC 3-12-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A candidate who is nominated or elected to an office at an election on the face of the election returns may file a verified cross-petition for a recount with the election division not later than noon ~~fourteen (14)~~ **twenty-one (21)** days after election day.

SECTION 111. IC 3-12-12-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. A voter who desires a recount under this chapter must file a verified petition no

later than noon ~~seven (7)~~ **fourteen (14)** days after election day. The petition must be filed:

- (1) in the circuit court of each county in which is located a precinct in which the voter desires a recount; and
- (2) with the election division."

Page 55, line 18, delete "IC 3-11-6.5-5;".

Page 55, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 123. [EFFECTIVE UPON PASSAGE] (a) The definitions set forth in IC 3-5-2 apply to this SECTION.

(b) The secretary of state may designate up to three (3) counties as vote center pilot counties under IC 3-11-18, as added by this act. If the designation of a county as a vote center pilot county is revoked in accordance with IC 3-11-18, as added by this act, the secretary of state may designate a replacement county as a vote center pilot county.

(c) A county must file with the secretary of state an application to be designated a vote center pilot county under IC 3-11-18, as added by this act, not later than August 1, 2006.

(d) The secretary of state shall act in accordance with IC 3-11-18, as added by this act, and this SECTION to designate a county as a vote center pilot county not later than October 1, 2006.

(e) This SECTION expires December 31, 2007."

Renumber all SECTIONS consecutively.

(Reference is to SB 37 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 384, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 13, line 12, after "organization" insert "**or a collection agency licensed under IC 25-11-1**".

Page 13, line 41, strike "includes:".

Page 14, line 2, after "resides." insert "**may include**:".

Page 17, line 23, after "organization," insert "**but not including a collection agency licensed under IC 25-11-1,**".

Page 18, line 11, strike "lender" and insert "**person**".

Page 25, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 25. IC 26-2-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. (a) As used in this chapter, "credit agreement" means an agreement to:

- (1) lend or forbear repayment of money, goods, or things in action;
- (2) otherwise extend credit; or
- (3) make any other financial accommodation.

(b) The term includes an agreement to modify an agreement described in subsection (a).

SECTION 26. IC 26-2-9-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. (a) A debtor may

~~bring an action upon assert:~~

(1) a claim for legal or equitable relief; or

(2) a defense in a claim;

arising from a credit agreement only if the credit agreement at issue satisfies the requirements set forth in subsection (b).

(b) A debtor may assert a claim or defense under subsection (a) only if the credit agreement at issue:

(1) is in writing;

(2) sets forth all material terms and conditions of the credit agreement, including the loan amount, rate of interest, duration, and security; and

(3) is signed by the creditor and the debtor."

Page 26, between lines 7 and 8, begin a new paragraph and insert: "SECTION 27. IC 28-1-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) Every corporation has the capacity to act that is possessed by a natural person, but has the authority to perform only those acts that are necessary, convenient, or expedient to accomplish the purposes for which it is formed and that are not repugnant to law.

(b) Subject to any limitations or restrictions imposed by law or by the articles of incorporation, each corporation has the following general rights, powers, and privileges:

(1) To continue as a corporation, under its corporate name, for the period limited in its articles of incorporation, or, if the period is not so limited, then perpetually.

(2) To sue and be sued in its corporate name.

(3) To have a corporate seal and to alter such seal at its pleasure.

(4) To acquire, own, hold, use, lease, mortgage, pledge, sell, convey, or otherwise dispose of property, real and personal, tangible and intangible, in the manner and to the extent hereinafter provided.

(5) To borrow money and to mortgage or pledge its property to secure the payment thereof, in the manner and to the extent hereinafter provided; but no financial institution having power to accept deposits of money shall pledge any of the assets of such financial institution as security for the safekeeping and prompt payment of any money so deposited, except that any such financial institution may, for the safekeeping and prompt payment of any money so deposited, give security of the kind authorized by any statute of this state or by the Congress of the United States.

(6) To conduct business in this state and elsewhere.

(7) To appoint such officers and agents as the business of the corporation may require **and to do the following with respect to any officers or agents appointed:**

to (A) Define their duties.

to (B) Fix their compensation, which may include compensation paid pursuant to any plan of deferred compensation approved by ~~its~~ **the corporation's** board of directors.

to (C) Enter into employment contracts with ~~its~~ **the corporation's** officers and agents which set forth terms and conditions of employment.

to (D) Provide ~~its~~ **the corporation's** officers, agents, and employees with individual or group life insurance.

and to (E) Procure and maintain in effect for the benefit of

the bank, insurance on the life or lives of designated officers or directors.

(8) To make bylaws for the government and regulation of its affairs.

(9) To cease doing business and to dissolve and surrender its corporate franchise.

(10) To do all acts and things necessary, convenient, or expedient to carry out the purposes for which it is formed.

(c) Subject to any limitations or restrictions that the department may impose by rule or policy, each corporation may purchase and hold life insurance as follows:

(1) Life insurance purchased or held in connection with employee compensation or benefit plans approved by the corporation's board of directors.

(2) Life insurance purchased or held to recover the cost of providing preretirement or postretirement employee benefits approved by the corporation's board of directors.

(3) Life insurance on the lives of borrowers.

(4) Life insurance held as security for a loan.

(5) Life insurance that a national bank may purchase or hold under 12 U.S.C. 24 (Seventh)."

Page 35, line 10, delete "1(1)" and insert "**1(1), 1(3), or 1(4)**".

Page 37, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 34. IC 28-6.1-6-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 14. (a) A savings bank may solicit and write insurance as an insurance producer or a broker for any insurance company authorized to do business in the state or states where the insurance producer or broker operates.

(b) A savings bank or its affiliate (as defined in IC 28-6.2-1-4) may act as an insurance producer for the sale of any life insurance policy or annuity contract issued by a life insurance company (as defined in IC 27-1-2-3) authorized to do business in the state or states where the insurance producer operates.

(c) A savings bank or its affiliate that acts as an insurance producer for the sale of a life insurance policy or an annuity contract under subsection (b):

(1) is subject to all requirements of IC 27 with respect to the insurance producer's activity in Indiana; and

(2) must comply with the disclosure requirements under IC 27-1-38.

(d) A savings bank or its affiliate may not condition:

(1) an extension of credit;

(2) a lease or sale of real or personal property;

(3) the performance of a service; or

(4) the amount charged for:

(A) extending credit;

(B) leasing or selling real or personal property; or

(C) performing services;

upon a person's purchase of a life insurance policy or an annuity contract from the savings bank or its affiliate.

(e) This section does not prohibit a savings bank or its affiliate from requiring that a person, as a condition to a transaction, obtain a life insurance policy from an insurance company acceptable to the savings bank or its affiliate.

(f) Subject to any limitations or restrictions that the department may impose by rule or policy, a savings bank may purchase and hold life insurance as follows:

(1) Life insurance purchased or held in connection with employee compensation or benefit plans approved by the savings bank's board.

(2) Life insurance purchased or held to recover the cost of providing preretirement or postretirement employee benefits approved by the savings bank's board.

(3) Life insurance on the lives of borrowers.

(4) Life insurance held as security for a loan.

(5) Life insurance that a national bank may purchase or hold under 12 U.S.C. 24 (Seventh)."

Page 42, line 1, delete "includes:" and insert "~~includes,~~".

Page 42, line 2, after "resides." insert "**may include:**".

Page 43, line 21, delete "ninety (90)" and insert "**thirty (30)**".

Page 50, line 2, delete "includes:" and insert "~~includes,~~".

Page 50, line 3, after "resides." insert "**may include:**".

Page 56, line 5, delete "includes:" and insert "~~includes,~~".

Page 56, line 6, after "resides." insert "**may include:**".

Page 65, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 77. IC 28-15-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. **(a)** Savings associations may do the following:

(1) Accept deposit accounts.

(2) Issue evidence of deposit account ownership.

(3) Declare and distribute earnings to members.

(4) Pay, in part or in full, withdrawal requests of deposit accounts.

(5) Subject to the provisions and restrictions of 12 U.S.C. 84 and 12 CFR 32:

(A) Make loans to members on the security of deposit accounts.

(B) Make property improvement loans.

(C) Make other loans as provided under IC 28-15-8.

(D) Make mortgage loans.

(E) Accept additional collateral on mortgage loans.

(F) Purchase and sell loans.

(G) Negotiate loan servicing agreements.

(H) Purchase and sell participating interests in loans.

(I) Issue letters of credit with specific expiration dates.

(J) Make secured or unsecured loans, which are partially insured or guaranteed in any manner by any state of the United States, the United States government, or any of its agencies or government sponsored enterprises.

(K) Purchase commercial paper that is denominated in United States currency and rated by at least one (1) nationally recognized investment rating service in one (1) of the two (2) highest grades.

(L) Make, purchase, or participate in alternative mortgage loans as provided in IC 28-15-11.

(6) Acquire and sell real estate in satisfaction of debts previously contracted.

(7) Acquire real estate for the convenient transaction of its business. A savings association has the same powers under this subdivision as a bank or trust company has under IC 28-1-11-5.

(8) Notwithstanding any other law, establish, maintain, or relocate one (1) or more branch offices by following the provisions of IC 28-2-13, IC 28-2-17, or IC 28-2-18 as if the

savings association were a bank.

(9) Become a member in any agency or instrumentality of the federal government. For the purposes of this subdivision, membership in an agency or instrumentality of the federal government may include:

(A) purchasing stock;

(B) purchasing notes and debentures; or

(C) borrowing money.

(10) Subject to any limitations imposed by the department through policy:

(A) invest the money deposited in the savings association in the shares of the capital stock, bonds, debentures, notes, or other obligations of a federal home loan bank of the United States;

(B) become a member of the federal home loan bank of the district in which Indiana is located or an adjoining district;

(C) borrow money from:

(i) a federal home loan bank described in clause (B);

(ii) the Federal Deposit Insurance Corporation; or

(iii) any other corporation;

(D) transfer, assign to, and pledge with a federal home loan bank described in clause (B), the Federal Deposit Insurance Corporation, or any other corporation any of the bonds, notes, contracts, mortgages, securities, or other property of the savings association held or acquired as security for the payment of loans entered into under clause (C); and

(E) exercise all rights, powers, and privileges conferred upon, and do all things and perform all acts required of, members or shareholders of a federal home loan bank by the Federal Home Loan Bank Act (12 U.S.C. 1421 through 1449).

(11) Subject to the provisions and restrictions of 12 U.S.C. 24 and 12 CFR 1, invest in the following types of securities:

(A) Bonds, notes, certificates, and other valid obligations of the United States government or any agency of the United States government.

(B) Accounts offered by federally insured banks, savings banks, and savings associations.

(C) Bonds, notes, or other evidences of indebtedness that are general obligations supported by the full faith and credit of any state in the United States or any city, town, or other political subdivision in any state in the United States if the obligations have been assigned one (1) of the four (4) highest grades by a nationally recognized investment rating service.

(D) Shares of stock of a subsidiary that does not exercise a power or engage in any activity that is not authorized for the savings association. The investment power granted by this subdivision is separate from the investment power granted by IC 28-15-9.

(E) Corporate debt securities that are denominated in United States currency and rated by at least one (1) nationally recognized investment rating service in one (1) of the four (4) highest grades. Corporate debt securities in which a savings association invests under this clause must be convertible into stock at the sole option of the holder, and a savings association is prohibited from exercising the conversion option.

- (F) Shares of open end investment companies that are eligible for purchase by national banks.
- (G) Bankers' acceptances that are eligible for purchase by national banks.
- (12) For the purpose of:
- (A) check and deposit sorting and posting;
 - (B) computation and posting of interest and other credits and charges;
 - (C) preparation and mailing of checks, statements, notices, and similar items; or
 - (D) other clerical, bookkeeping, accounting, statistical, or similar functions performed by a savings association;
- invest in a corporation organized in any state to perform those functions for two (2) or more savings associations, each of which owns a portion of the capital stock of the corporation. The total investment of a savings association under this subdivision may not exceed ten percent (10%) of the capital and surplus of the savings association. A savings association may not invest in this type of corporation unless the corporation furnishes assurances to the department that it will subject itself to examination by the department to the same extent as if the services were performed by the savings association.
- (13) Lend money to other savings associations:
- (A) the deposits of which are insured by the Federal Deposit Insurance Corporation; and
 - (B) that are incorporated and operating under the laws of any state or of the United States.
- (14) Borrow money and mortgage or pledge its property to secure payment.
- (15) Issue subordinated notes or debentures.
- (16) Assess and collect interest, fees, and other charges.
- (17) Insure its deposit accounts with the Federal Deposit Insurance Corporation or its successor.
- (18) Act as an agent for the United States or its instrumentalities.
- (19) Accept property for safe keeping or escrow.
- (20) Rent or lease safe deposit boxes.
- (21) Issue and sell checks, drafts, money orders, and other instruments for the transmission or payment of money.
- (22) Exercise all the powers that:
- (A) are incidental and proper; or
 - (B) may be necessary and usual;
- in carrying on the business of the savings association.
- (23) Purchase or construct buildings, hold legal title to the buildings, and lease the buildings for public purposes to municipal corporations or other public authorities that have resources sufficient to make payment of all rentals as they become due. Each lease agreement entered into under this subdivision must provide that, upon expiration, the lessee will become the owner of the building.
- (24) Open or establish automated teller machines at any location. An automated teller machine opened or established under this subdivision may be owned and operated individually or jointly on a cost sharing or fee basis.
- (25) Act:
- (A) in any fiduciary capacity in which a bank or trust company is permitted to act under this title; and

- (B) as an agent for the sale of real estate, without bond or other security.
- (26) Accept and maintain demand deposit accounts if the savings association is insured by the Federal Deposit Insurance Corporation or its successor.
- (27) Without the approval of the department, to the extent authorized by the board of directors of the savings association, establish or maintain agencies that:
- (A) only service and originate, but do not approve, loans and contracts; or
 - (B) manage or sell real estate owned by the savings association.
- An agency established or maintained under this subdivision may offer any services not referred to in this subdivision with the approval of the department, except for accepting payment on savings accounts. An agency shall maintain records of all business it transacts and transmit copies to a branch or home office of the savings association.
- (b) Subject to any limitations or restrictions that the department may impose by rule or policy, a savings association may purchase and hold life insurance as follows:**
- (1) Life insurance purchased or held in connection with employee compensation or benefit plans approved by the savings association's board of directors.**
 - (2) Life insurance purchased or held to recover the cost of providing preretirement or postretirement employee benefits approved by the savings association's board of directors.**
 - (3) Life insurance on the lives of borrowers.**
 - (4) Life insurance held as security for a loan.**
 - (5) Life insurance that a national bank may purchase or hold under 12 U.S.C. 24 (Seventh)."**
- Renumber all SECTIONS consecutively.
(Reference is to SB 384 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 11, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 16, between lines 36 and 37, begin a new paragraph and insert:

"(e) In addition to the notice required under subsection (d), the commissioner shall send a certified copy of every final order that:

- (1) suspends or revokes a person's registration under this chapter; or**
 - (2) orders a person who is not registered under this chapter to cease and desist from violating this chapter;**
- to the insurance commissioner appointed under IC 27-1-1-2. The insurance commissioner shall act in accordance with IC 27-1-15.6-29.5."**

Page 16, delete lines 37 through 42.

Page 17, delete line 1.

Page 23, after line 22, begin a new paragraph and insert:

"SECTION 10. IC 27-1-15.6-29.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2006]: **If the commissioner receives a copy of a final order from the securities commissioner under IC 23-2-1-17.1(e), the commissioner shall:**

(1) determine whether the person who is the subject of the final order is licensed by the department under this chapter; and

(2) if the person is licensed under this chapter, institute proceedings to determine whether the person's license should be suspended or revoked.

The determination under subdivision (2) may be based solely on the final order by the securities commissioner."

Renumber all SECTIONS consecutively.

(Reference is to SB 11 as printed January 10, 2006.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

PAUL, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Senate Bill 363, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

FORD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Economic Development and Technology, to which was referred Senate Bill 301, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

FORD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 24, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 27, has had the same under consideration and begs leave to report the same

back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 81, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 283, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill 374, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WYSS, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 19

Senate Concurrent Resolution 19, introduced by Senator Lubbers:

A CONCURRENT RESOLUTION congratulating the Brebeuf Jesuit Girls Volleyball Team on winning the 2005 Class 3A State Championship Title.

Whereas, The Brebeuf Braves took on the Boonville Pioneers in the Indiana Class 3A State Volleyball Championship at Hinkle Fieldhouse on November 15, 2005;

Whereas, In a hard-fought, four-game match, the Brebeuf Jesuit Girls Volleyball Team capped off a stellar 2005 season by winning their second state championship title in three years;

Whereas, Each member of the team played a key role in the championship match. In addition to scoring the winning point in the final game, Claire McElheny led all players with 4 block assists and contributed 2 service aces and 12 kills. Kim Kristoff recorded a match-high 17 kills and added a solo block and 2 block assists;

Whereas, Sam Gray accumulated 45 assists, 2 service aces and three block assists for the Braves. Sally Fischer and Sarah Kish anchored the Brebeuf defense with a match-high 15 digs apiece;

Whereas, Senior Sarah Kish, who has been an all-around athlete and high honor roll student while at Brebeuf, also received individual recognition winning the 2005 IHSAA Class 3A Mental Attitude Award presented by members of the IHSAA Executive Committee; and

Whereas, The Indiana General Assembly commends the members of the Brebeuf Girls Volleyball Team for their hard work and dedication throughout the 2005 season: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Brebeuf Jesuit Girls Volleyball Team on achieving a 37-1 season record and winning the 2005 Class 3A State Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Brebeuf Jesuit Preparatory School Principal, Kathee Gaskin, Girls Volleyball Coach, Brian Murray, and each member of the championship team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Orentlicher.

RESOLUTIONS ON SECOND READING

Senate Joint Resolution 2

Senator Lawson called up Senate Joint Resolution 2 for second reading. The resolution was read a second time by title, and there being no amendments was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed Senate Bill 114.

Page 3, line 9, delete "stipes" and insert "stirpes".

(References is to Senate Bill 114 as printed January 20, 2006.)

GARTON

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Delph has been excused from voting on Engrossed Senate Bill 245, pursuant to the Report of the Committee on Ethics adopted on January 9, 2006.

GARTON

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 20

House Concurrent Resolution 20, sponsored by Senator Riegsecker:

A CONCURRENT RESOLUTION honoring the Concord Marching Minutemen for finishing first in Class B at the Indiana State School Music Association's 2005 Marching Band State Finals.

Whereas, The Concord High School Marching Minutemen are the 2005 Class B champions in the Indiana State School Music Association's Marching Band State Finals;

Whereas, This victory marked the third time the Marching Minutemen have placed first in the Class B state finals;

Whereas, The Marching Minutemen finished second in the competition in 2002 and 2004;

Whereas, This was Gay Burton's first time at the RCA Dome as a head director for band, although she had been Concord's assistant director for 13 years in the 1980s and 1990s;

Whereas, Band Director Burton credited the victory to the fact that band members helped and encouraged one another; something Burton considers to be the hallmark of success; and

Whereas, It is through effort and determination that we succeed, and these characteristics are present in each member of the Marching Minutemen: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Concord Marching Minutemen on their victory in the Indiana State School Music Association's 2005 Marching Band State Finals and wishes them continued success in their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to band members, band director Gay Burton, and principal Dan Cunningham.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

SENATE BILLS ON SECOND READING

Senate Bill 72

Senator Long called up Senate Bill 72 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 72-1)

Madam President: I move that Senate Bill 72 be amended to read as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

SECTION 2. **An emergency is declared for this act.**
(Reference is to SB 72 as printed January 18, 2006.)

LONG

Motion prevailed. The bill was ordered engrossed.

Senate Bill 75

Senator Long called up Senate Bill 75 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 117

Senator Gard called up Senate Bill 117 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 117-1)

Madam President: I move that Senate Bill 117 be amended to read as follows:

Page 1, line 2, delete "An" and insert "**(a) Except as provided in subsection (b), an**".

Page 1, line 6, delete ", other than" and insert ";".

Page 1, line 7, delete "health benefits provided by the employer;".

Page 1, after line 11, begin a new paragraph and insert:

"(b) An employer may implement financial incentives:

(1) intended to reduce tobacco use; and

(2) related to employee health benefits provided by the employer."

(Reference is to SB 117 as printed January 20, 2006.)

GARD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 205

Senator Drozda called up Senate Bill 205 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 205-1)

Madam President: I move that Senate Bill 205 be amended to read as follows:

Page 2, line 42, strike "following".

Page 3, line 1, after "addresses)" insert "**described in subdivisions (1) through (3)**".

Page 3, line 1, after "to" insert "**any individual or entity for political purposes and may not be used by any individual or entity for political purposes. In addition, the lists of names and addresses (including electronic mail account addresses) described in subdivisions (1) through (3) may not be disclosed by public agencies to**".

Page 3, line 3, delete ":" and insert ". **The prohibition in this subsection against the disclosure of lists for political or commercial purposes applies to the following lists of names and addresses (including electronic mail account addresses):**".

Page 3, line 12, after "(A)" insert "**with respect to disclosure**

related to a commercial purpose,".

Page 3, line 13, strike "or".

Page 3, line 14, after "(B)" insert "**with respect to disclosure related to a commercial purpose,**".

Page 3, line 16, delete "." and insert "; **or**".

Page 3, between lines 16 and 17, begin a new line double block indented and insert:

"(C) with respect to disclosure related to a political purpose, prohibiting the disclosure of the list to individuals and entities for political purposes."

Page 3, line 17, strike "(3)" and insert "**(3)(A) or (3)(B)**".

Page 3, line 18, after "entities." insert "**For purposes of this subsection, "political purposes" means influencing the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question or attempting to solicit a contribution to influence the election of a candidate for federal, state, legislative, local, or school board office or the outcome of a public question."**

(Reference is to SB 205 as printed January 20, 2006.)

DROZDA

Motion prevailed. The bill was ordered engrossed.

Senate Bill 285

Senator Wyss called up Senate Bill 285 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 285-1)

Madam President: I move that Senate Bill 285 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. "Authorized emergency vehicle" means the following:

(1) The following vehicles:

(A) Fire department vehicles.

(B) Police department vehicles.

(C) Ambulances.

(D) Emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8.

(2) Vehicles designated as emergency vehicles by the Indiana department of transportation under IC 9-21-20-1.

(3) Motor vehicles that, subject to IC 9-21-20-2, are approved by the Indiana emergency medical services commission that are:

(A) ambulances that are owned by persons, firms, limited liability companies, or corporations other than hospitals; or

(B) not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110).

(4) Vehicles of the department of correction that, subject to IC 9-21-20-3, are:

(A) designated by the department of correction as emergency vehicles; and

(B) responding to an emergency.

(5) Vehicles of the department of homeland security established under IC 10-19-2-1 that are designated by the

department of homeland security as emergency vehicles.

(6) Vehicles of a county emergency management organization established under IC 10-14-3-17 or an interjurisdictional disaster agency established under IC 10-14-3-17.5 that are designated by the county emergency management organization or interjurisdictional disaster agency as emergency vehicles."

Page 1, line 4, delete "or a local disaster agency." and insert ".".

Page 1, delete lines 10 through 13.

Page 5, reset in roman lines 9 through 10.

Page 5, between lines 10 and 11, begin a new paragraph and insert:

"(e) Notwithstanding subsection (c), after December 31, 2006, the county executive shall, by resolution or ordinance, appoint the members of the county emergency management advisory council in accordance with the following:

(1) At least one (1) representative from each of the following categories:

(A) An elected county official, including a member of the county executive or a member of the county fiscal body.

(B) An elected city official from a city in the county, if there is a city in the county.

(C) An elected town official from a town in the county.

(D) An officer or member of a fire department located within the county.

(E) A law enforcement officer of the county or a unit of government in the county.

(F) A public health officer of the county or a unit of government in the county.

(G) A representative of other public and private agencies or organizations located within the county, including the local civil air patrol, a hospital or medical care provider, an emergency medical services provider, a hazardous materials response team, a public or private utility, a disaster relief organization, a local transportation agency, a search and rescue organization, a local public works agency, and a public or private airport.

(2) Not more than thirteen (13) members may be appointed. The number of appointments must be an odd number.

(3) Not more than fifty percent (50%) of the appointed members may be employed by or officers of the same political subdivision. If at least nine (9) members are appointed, not more than four (4) members may be employed by or officers of the same political subdivision.

(4) Appointments are not effective until approved by the department of homeland security established under IC 10-19-2."

Page 5, line 11, delete "(e)" and insert "(f)".

Page 5, line 31, delete "(f)" and insert "(g)".

Page 5, line 42, delete "(g)" and insert "(h)".

Page 6, line 24, delete "(h)" and insert "(i)".

Page 6, line 34, delete "(i)" and insert "(j)".

Page 7, line 4, delete "(j)" and insert "(k)".

Page 7, line 8, delete "(k)" and insert "(l)".

Page 7, line 14, delete "(l)" and insert "(m)".

Page 8, line 21, delete "(m)" and insert "(n)".

Page 8, line 26, delete "(n)" and insert "(o)".

Page 8, line 40, delete "include the following individuals, or their" and insert "comply with the following:

(A) At least one (1) representative from each of the following categories:

(i) An elected county official, including a member of the county executive or a member of the county fiscal body.

(ii) An elected city official from a city in the county, if there is a city in the county.

(iii) An elected town official from a town in the county.

(iv) An officer or member of a fire department located within the county.

(v) A law enforcement officer of the county or a unit of government in the county.

(vi) A public health officer of the county or a unit of government in the county.

(vii) A representative of other public and private agencies or organizations located within the county, including the local civil air patrol, a hospital or medical care provider, an emergency medical services provider, a hazardous materials response team, a public or private utility, a disaster relief organization, a local transportation agency, a search and rescue organization, a local public works agency, and a public or private airport.

(B) Not more than thirteen (13) members may be appointed. The number of appointments must be an odd number.

(C) Not more than fifty percent (50%) of the appointed members may be employed by or officers of the same political subdivision. If at least nine (9) members are appointed, not more than four (4) members may be employed by or officers of the same political subdivision.

(D) After the initial approval of an agreement establishing the interjurisdictional disaster agency under subsection (c), new or replacement appointments are not effective until approved by the department of homeland security established under IC 10-19-2."

Page 8, delete lines 41 through 42.

Page 9, delete lines 1 through 15.

Page 13, line 28, after "(C)" insert "for a county organization,".

Renumber all SECTIONS consecutively.

(Reference is to SB 285 as printed January 18, 2006.)

WYSS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 321

Senator Kruse called up Senate Bill 321 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 321-1)

Madam President: I move that Senate Bill 321 be amended to read as follows:

Page 12, delete lines 7 through 42.

Page 13, delete lines 1 through 39.

Page 15, line 20, after "commissioner" insert "department".

Page 15, line 20, reset in roman "shall".

Page 15, line 20, delete "department may".

Page 18, line 23, delete " States or" and insert "**States;**".
 Page 18, delete line 24.
 Page 18 line 36, delete "one" and insert "**one-half**".
 Page 18 line, 36, delete "(1%)" and insert "**(0.5%)**".
 Page 20, line 31, delete "an individual forfeits any wage".
 Page 20, delete line 32.
 Page 20, line 33, delete "otherwise be payable to the individual".
 Page 20, line 33, before "individual knowingly:" delete "the" and insert "**an**".

Page 20, line 39, delete "." and insert ", **the individual forfeits any wage credits earned or any benefits or extended benefits that might otherwise be payable to the individual for the period in which the failure to disclose or falsification occurs.**".

Page 26, reset in roman lines 39 through 40.

Page 26, line 41, reset in roman "shall not notify the employer".

Page 26, line 41, after "made." insert "**of the claimant's current address or physical location.**".

Page 33, line 30, delete "information" and insert "Information **concerning the claimant's current address or physical location**".

Page 33, line 30, reset in roman "shall not be disclosed to the employer or any other person.".

Page 44, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 64. IC 22-4-16-1 IS REPEALED [EFFECTIVE JULY 1, 2006].".

Renumber all SECTIONS consecutively.

(Reference is to SB 321 as printed January 20, 2006.)

KRUSE

Motion prevailed. The bill was ordered engrossed.

Senate Bill 323

Senator Lubbers called up Senate Bill 323 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 323-3)

Madam President: I move that Senate Bill 323 be amended to read as follows:

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"**Sec. 2. This article is supplemental to and does not abrogate the powers given to school corporations under the home rule provisions of IC 20-26-3, and those powers remain in full effect.**".

Page 2, line 5, delete "2." and insert "**3.**".

Page 3, line 18, after "may" insert "**elect to**".

Page 6, line 5, delete "December 31, 2006," and insert "**June 30, 2007,**".

Page 6, line 37, before "chapter;" insert "**chapter and whether the school corporation met the goals established for the previous school year under section 6 of this**".

Page 6, line 40, delete "and".

Page 7, line 2, delete "year." and insert "**year; and**

(D) the goals established under section 6 of this chapter for the current school year.".

Page 7, line 8, after "6." insert "**(a)**".

Page 7, line 8, delete "the state" and insert "**each governing body**".

Page 7, delete lines 9 through 18 and insert "**shall establish goals for each category of expenditures set forth in section 4 of this chapter that will increase the school corporation's allocation of taxpayer resources directly to student instruction and learning.**

(b) The state board shall recognize and reward the school corporations that have met the goals described in subsection (a).".

Page 7, line 23, delete "modify;" and insert "**modify before approving;**".

Page 7, line 27, after "principles" insert "**based on the system of accounting used by school corporations and schools on June 30, 2006,**".

Page 8, line 27, delete "2008." and insert "**2009.**".

(Reference is to SB 323 as printed January 20, 2006.)

LUBBERS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 331

Senator Broden called up Senate Bill 331 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 331-1)

Madam President: I move that Senate Bill 331 be amended to read as follows:

Page 2, line 7, strike "five hundred dollars (\$500)" and insert "**one thousand dollars (\$1000)**".

(Reference is to SB 331 as printed January 20, 2006.)

RIEGSECKER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 370

Senator Kruse called up Senate Bill 370 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 370-1)

Madam President: I move that Senate Bill 370 be amended to read as follows:

Page 4, line 12, after "Act," insert "**and**".

Page 4, line 13, delete ", and the employment and training" and insert ".".

Page 4, delete lines 14 through 16.

Page 6, line 29, reset in roman "six (6)".

Page 6, line 29, delete "three (3)".

Page 6, line 30, reset in roman "annually".

Page 6, line 30, delete "every two (2) years".

Page 6, line 31, reset in roman "three (3) hours".

Page 6, line 31, delete "one (1) hour." and insert ".".

Page 8, line 21, delete ":".

Page 8, line 22, delete "(A)".

Page 8, line 22, beginning with "the Food", begin a new line blocked left.

Page 8, line 23, delete "; and".

Page 8, delete lines 24 through 25.

Page 13, line 22, reset in roman "physical".

Page 13, line 25, reset in roman "onsite".

Page 14, line 40, after "of" insert ":

(i)".

Page 14, line 41, after "area" delete "." and insert "; or

(ii) a statewide labor organization."

(Reference is to SB 370 as printed January 20, 2006.)

KRUSE

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 310

Senator Alting called up Engrossed Senate Bill 310 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 27: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, T. Brown, Klinker, and Micon.

Engrossed Senate Bill 41

Senator Miller called up Engrossed Senate Bill 41 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 28: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and C. Brown.

Engrossed Senate Bill 245

Senator Hershman called up Engrossed Senate Bill 245 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 29: yeas 40, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Koch, Murphy, Grubb, and Mays.

Engrossed Senate Bill 168

Senator Miller called up Engrossed Senate Bill 168 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 30: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Foley.

Engrossed Senate Bill 234

Senator Gard called up Engrossed Senate Bill 234 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 31: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins and Dvorak.

Engrossed Senate Bill 88

Senator Wyss called up Engrossed Senate Bill 88 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 32: yeas 26, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Crouch, Welch, Lawson, and C. Brown.

Engrossed Senate Bill 114

Senator Zakas called up Engrossed Senate Bill 114 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 33: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Foley.

Engrossed Senate Bill 208

Senator Dillon called up Engrossed Senate Bill 208 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 34: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and Welch.

Engrossed Senate Bill 2

Senator Drozda called up Engrossed Senate Bill 2 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 35: yeas 45, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives J. Smith, Foley, and Ulmer.

Engrossed Senate Bill 362

Senator Ford called up Engrossed Senate Bill 362 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 36: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Turner.

Engrossed Senate Bill 147

Senator Gard called up Engrossed Senate Bill 147 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 37: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the

Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ripley and Pelath.

Pursuant to prior authorization from Senator Jackman, Senator Gard called up Engrossed Senate Bill 87 for Third Reading.

Engrossed Senate Bill 87

Senator Gard called up Engrossed Senate Bill 87 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 38: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Gutwein and Grubb.

Engrossed Senate Bill 92

Senator Paul called up Engrossed Senate Bill 92 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Senator Paul withdrew the call.

Engrossed Senate Bill 154

Senator Heinold called up Engrossed Senate Bill 154 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 39: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Heim.

Engrossed Senate Bill 12

Senator Long called up Engrossed Senate Bill 12 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 40: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Foley, Kuzman, Ulmer, and Van Haften.

Engrossed Senate Bill 258

Senator Kenley called up Engrossed Senate Bill 258 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 41: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Espich.

Engrossed Senate Bill 296

Senator Kenley called up Engrossed Senate Bill 296 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 42: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Foley and Torr.

Engrossed Senate Bill 133

Senator Kruse called up Engrossed Senate Bill 133 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 43: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Dodge.

Engrossed Senate Bill 260

Senator Kenley called up Engrossed Senate Bill 260 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 44: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House

sponsor: Representative Espich.

Engrossed Senate Bill 295

Senator Paul called up Engrossed Senate Bill 295 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 45: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Saunders, Hoffman, and Pflum.

Engrossed Senate Bill 355

Senator Lawson called up Engrossed Senate Bill 355 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 46: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Ayres.

Engrossed Senate Bill 246

Senator Wyss called up Engrossed Senate Bill 246 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 47: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Foley, Van Haaften, Ulmer, and Kuzman.

REPORTS FROM COMMITTEES**COMMITTEE REPORT**

Madam President: The Senate Committee on Rules and Legislative Procedure reports that, pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed Senate Bill 114.

Page 6, line 18, delete "Do any of the following:".

Page 6, line 19, delete "(A)".

Page 6, run in lines 18 through 19.

Page 6, line 22, delete (B), begin a new line block indented and insert: "(20)".

Page 6, line 23, delete (C), begin a new line block indented and insert: "(21)".

Page 6, line 28, strike "(20)" and insert "(22)".

Page 6, line 30, strike "(21)" and insert "(23)".

Page 6, line 38, strike "(22)" and insert "(24)".

Page 7, line 7, strike "(23)" and insert "(25)".

Page 7, line 24, delete "(24)" and insert "(26)".

Page 7, line 31, delete "(25)" and insert "(27)".

Page 8, line 3, delete "(26)" and insert "(28)".

Page 8, line 27, delete "(27)" and insert "(29)".

(Reference is to ESB 114 as printed January 20, 2006.)

GARTON

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 73

Senator Long called up Engrossed Senate Bill 73 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 48: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Davis and Stilwell.

Engrossed Senate Bill 60

Senator Kenley called up Engrossed Senate Bill 60 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 49: yeas 30, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning and Ruppel.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 19 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Riegsecker be removed as

coauthor of Senate Bill 106.

RIEGSECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Riegsecker be added as second author and Senator Paul be added as coauthor of Senate Bill 106.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mrvan and Alting be added as coauthors of Senate Bill 217.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gard be added as coauthor of Senate Bill 369.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Riegsecker be added as coauthor of Engrossed Senate Bill 247.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as coauthor of Engrossed Senate Bill 260.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Meeks be added as coauthor of Engrossed Senate Bill 133.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 301.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hume be added as coauthor of Engrossed Senate Bill 92.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Engrossed Senate Bill 2.

DROZDA

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Broden be added as coauthor of Engrossed Senate Bill 154.

HEINOLD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 284.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Engrossed Senate Bill 246.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Engrossed Senate Bill 148.

RIEGSECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mrvan and Tallian be added as coauthors of Senate Bill 17.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Sipes be added as coauthors of Senate Bill 336.

LANDSKE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bowser be added as coauthor of Senate Bill 216.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Smith and Sipes be added as coauthors of Senate Bill 373.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Craycraft be added as coauthor of Senate Bill 75.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mrvan, Lanane, Meeks, Drozda, Miller, Zakas, Steele, Kruse, and Broden be added as coauthors of Engrossed Senate Bill 12.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Engrossed Senate Bill 92.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Skinner, Ford, and Lanane be added as coauthors of Senate Bill 353.

WEATHERWAX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 305.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Riegsecker and Mishler be added as coauthors of Senate Bill 17.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Wyss be added as second author and Senators Delph and Smith be added as coauthors of Senate Bill 374.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Senate Bill 217.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 92, which is eligible for third reading, be returned to second reading for purposes of amendment.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Engrossed Senate Bill 246.

WYSS

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, January 26, 2006.

GARTON

Motion prevailed.

The Senate adjourned at 5:50 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate